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S E C R E T SECTION 01 OF 02 KATHMANDU 000634

SIPDIS

LONDON FOR POL/RIEDEL

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TAGS: PHUM PGOV PTER MARR ASEC PREL PINR NP

SUBJECT: SUSPECTED TORTURE, EXTRA-JUDICIAL KILLING BY ROYAL NEPALESE ARMY

Classified By: AMBASSADOR MICHAEL E. MALINOWSKI, REASONS 1.5(B),(D)

11. (S) Summary. Evidence that Royal Nepalese Army (RNA) personnel brutalized and killed one man they suspected of being a Maoist has spurred private investigations into the army's alleged practice of covering up the deaths of detainees. Military attaches from the U.S. and U.K. Embassies viewed the corpse of one man who evidently had been shot through the head after suffering a sustained beating. Residents of the man's village told a team of human rights activists that army personnel had picked him and four others off the street. The next morning his body turned up in a Kathmandu morgue and attracted the attention of a doctor affiliated with a group that works with torture victims. Asked by a British military attache to investigate the incident, a high-ranking RNA officer replied that the man had been shot while trying to run away. The extent to which high-ranking RNA officers are aware of such incidents remains unclear. End Summary.

Investigations Into RNA Abuse In Kathmandu Valley

12. (S) The GON,s Human Rights Commission, the Center for Victims of Torture (CVICT) and local human rights organizations are investigating reports that Royal Nepalese Army (RNA) personnel have tortured and summarily executed individuals they suspect of supporting the Maoist cause. The RNA has allegedly released the names of such individuals as having been killed in a clash with or in flight from security forces. The case of one man in particular attracted the attention of Kathmandu-based organizations after his body turned up at Tribhuvan University Teaching Hospital in the capital early on the morning of March 16. A doctor who viewed the body upon reporting for work later that morning related what he saw to the head of CVICT.

Signs of Beating, Gunshot Wounds

13. (S) Emboffs, in the company of British Embassy officials, visited the hospital March 20 and met with the doctor who reported the condition of the corpse to CVICT. DATT and British Assistant Military Attache (AMA) then viewed the body, which was still in the morgue. Afterwards, the British AMA described viewing an individual in his late twenties or early thirties with multiple blunt-trauma contusions to the face, shoulders, arms and hands. The blows to the arms and hands were apparently inflicted while the man was sitting in a chair. He had a small puncture wound in one calf and a mark on his neck which looked as if it had been made by a strip of cloth, but his skin was otherwise unbroken. Cause of death was four gunshot wounds, three in the back and one through the head, the British military officer stated. (Note: On March 27 AMA related to Poloff that he had asked the RNA Director of Military Operations (DMO) to investigate the incident. In his reply, the DMO stated that the man had been shot while trying to run away. End Note.)

Villagers Report Army Sweep

14. (C) Also on March 20, a fact-finding mission consisting of representatives of four local human rights organizations visited the man,s village, Saraswoti, in the Tokha area of Kathmandu approximately four miles from the city center. Villagers related that on March 15 at about 7:30 p.m. approximately twenty army personnel arrived at the village gate in two vehicles. The soldiers took five men into custody; they have not been seen since. One was Kancha Dangol, whose body the military attaches viewed in the morgue. Dangol worked as a carpenter and day laborer, and had stood as a Nepali Congress Party candidate in a recent ward election. Among the other four missing men were another carpenter, an electrician, a mechanic and a tea shop owner. The men,s houses were "very close to each other." (Note: Press reports March 16 quoted a Defense Ministry press release indicating that a man from Tokha had been killed the previous day in a clash with security forces.)

Press Coverage

15. (S) Representatives of a consortium of human rights groups held a press conference March 21 to release their findings, but asked the media not to reveal the names of the organizations or individuals involved. Members of these organizations expressed to Poloff a reluctance to go public out of a fear of retribution from security forces. Kantipur, Nepal's leading vernacular daily, published a story March 22 that related most of the groups' findings.

Other Victims Suspected

16. (S) The head of CVICT, Bhogendra Sharma (protect), told Poloff and visiting DRL/PHD officer Gianni Paz that his organization had received reports of "fake encounters" - where someone had been killed in custody but the RNA reported the death as operational - but Dangol's case was the first case for which they had solid information. If such an incident could happen in the capital, Sharma speculated, then it could happen anywhere in the country. Sharma took pains to explain that his organization has had good connections with the army, and that he understood that the army was engaged in a war. At the same time, he continued, a system of accountability was needed; the army must investigate reports of "fake encounters"; and authorities should not "protect" soldiers who commit atrocities, but rather punish them in a manner that would set an example to others. As it was, the RNA was "turning a blind eye," Sharma judged.

17. (C) The National People's Front (NPF), a minority extreme-leftist party with five seats in Parliament, filed a complaint with Nepal's human rights commission alleging that the army had killed three of their cadres in Baglung. The three were arrested along with seven others. NPF leaders claim that, ironically, the three had previously been threatened by the Maoists.

Note on CVICT

18. (C) CVICT is a non-partisan NGO that works with victims of torture and their families. To preserve its impartiality, CVICT does not issue press releases or otherwise publish information about its clients. It has aided victims of both Maoist and state abuse. CVICT is one of two organizations Post relies on most in preparing the Nepal section of the annual Human Rights Report. The second organization is the Informal Sector Services Center (INSEC). The head of CVICT has given testimony to the Senate Foreign Relations committee. CVICT has received financial and materiel support from both the Department of State and USAID.

Comment

19. (S) The British Assistant Military Attache concluded from his examination that Dangol was killed by a bullet to the head after sustaining a beating with a blunt object. That the RNA reported Dangol's death to the press - before the body was examined by the CVICT doctor - and that the RNA later asserted that Dangol had been killed while trying to flee indicates that he was in their custody before he died. How much the RNA's top brass knows about this - and similar instances that have been reported to us anecdotally - remains unclear.

MALINOWSKI